

Assembly Bill No. 400

CHAPTER 625

An act to repeal and add Section 2914 of the Business and Professions Code, and to add Sections 94729.3 and 94814.5 to the Education Code, relating to psychology.

[Approved by Governor September 24, 2000. Filed
with Secretary of State September 26, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 400, Lempert. Psychology.

Existing law, contained in the Psychology Licensing Law, requires each applicant for licensure in the area of psychology to have attended an approved or accredited academic institution, as specified. Existing law establishes the Bureau for Postsecondary and Vocational Education in the Department of Consumer Affairs.

This bill would, generally require applicants to have attended an accredited institution, except as specified.

The bill would require each institution offering a doctoral degree in psychology, and subject to the authority of the bureau, to provide to each prospective student in professional psychology a California Unaccredited Psychology School Disclosure Form, which would include prescribed data and warnings. The bill would provide that an institution failing to satisfy any of the requirements of the bill would be subject to the revocation of its approval to operate or to a civil or administrative penalty not to exceed \$10,000.

The people of the State of California do enact as follows:

SECTION 1. Section 2914 of the Business and Professions Code is repealed.

SEC. 2. Section 2914 is added to the Business and Professions Code, to read:

2914. Each applicant for licensure shall comply with all of the following requirements:

(a) Is not subject to denial of licensure under Division 1.5.

(b) Possess an earned doctorate degree (1) in psychology, (2) in education psychology, or (3) in education with the field of specialization in counseling psychology or educational psychology. Except as provided in subdivision (g), this degree or training shall be obtained from an accredited university, college, or professional school.

No educational institution shall be denied recognition as an accredited academic institution solely because its program is not

accredited by any professional organization of psychologists, and nothing in this chapter or in the administration of this chapter shall require the registration with the board by educational institutions of their departments of psychology or their doctoral programs in psychology.

(c) Have engaged for at least two years in supervised professional experience under the direction of a licensed psychologist, the specific requirements of which shall be defined by the board in its regulations, or under suitable alternative supervision as determined by the board in regulations duly adopted under this chapter, at least one year of which shall be after being awarded the doctorate in psychology. If the supervising licensed psychologist fails to provide verification to the board of the experience required by this subdivision within 30 days after being so requested by the applicant, the applicant may provide written verification directly to the board.

If the applicant sends verification directly to the board, the applicant shall file with the board a declaration of proof of service, under penalty of perjury, of the request for verification. A copy of the completed verification forms shall be provided to the supervising psychologist and the applicant shall prove to the board that a copy has been sent to the supervising psychologist by filing a declaration of proof of service under penalty of perjury, and shall file this declaration with the board when the verification forms are submitted.

Upon receipt by the board of the applicant's verification and declarations, a rebuttable presumption affecting the burden of producing evidence is created that the supervised, professional experience requirements of this subdivision have been satisfied. The supervising psychologist shall have 20 days from the day the board receives the verification and declaration to file a rebuttal with the board.

The authority provided by this subdivision for an applicant to file written verification directly shall apply only to an applicant who has acquired the experience required by this subdivision in the United States.

The board shall establish qualifications by regulation for supervising psychologists and shall review and approve applicants for this position on a case-by-case basis.

(d) Take and pass the examination required by Section 2941 unless otherwise exempted by the board under this chapter.

(e) Show by evidence satisfactory to the board that he or she has completed training in the detection and treatment of alcohol and other chemical substance dependency. This requirement applies only to applicants who matriculate on or after September 1, 1985.

(f) Show by evidence satisfactory to the board that he or she has completed coursework, in spousal or partner abuse assessment, detection, and intervention. Coursework required under this



subdivision may be satisfactory if taken either in fulfillment of other educational requirements for licensure or in a separate course. This requirement applies to applicants who begin graduate training on or after January 1, 1995. This requirement for coursework in spousal or partner abuse detection and treatment shall be satisfied by, and the board shall accept in satisfaction of the requirement, a certification from the chief academic officer of the educational institution from which the applicant graduated that the required coursework is included within the institution's required curriculum for graduation.

(g) An applicant holding a doctoral degree in psychology from an approved institution is deemed to meet the requirements of this section if all of the following are true:

(1) The approved institution offered a doctoral degree in psychology designed to prepare students for a license to practice psychology and was approved by the Bureau for Private Postsecondary and Vocational Education on or before July 1, 1999.

(2) The approved institution has not, since July 1, 1999, had a new location, as described in Section 94721 of the Education Code.

(3) The approved institution is not a franchise institution, as defined in Section 94729.3 of the Education Code.

SEC. 3. Section 94729.3 is added to the Education Code, to read:

94729.3. "Franchise institution" means a newly established location of an existing approved institution offering postsecondary education services leading to candidacy for psychology licensure that bears the same name as the existing approved institution and about which either of the following is true:

(a) The newly established location is owned or financially controlled by an individual or individuals other than those who own or financially control the existing approved institution.

(b) The newly established institution is administered by an individual or individuals other than those persons who administer the existing approved institution.

SEC. 4. Section 94814.5 is added to the Education Code, to read:

94814.5. (a) Each institution subject to this article, and offering a doctoral degree in psychology designed to prepare students for a license to practice psychology in California, shall provide to each prospective student in professional psychology a California Unaccredited Graduate Psychology School Disclosure Form that discloses all of the following information:

(1) The number of graduates of the institution who have taken, and the number of graduates of the institution who have passed, the psychology written licensing examination administered by the California Board of Psychology during the immediately preceding four years.

(2) The number of graduates of the institution who have taken, and the number of graduates of the institution who have passed, the

psychology oral licensing examination administered by the California Board of Psychology during the immediately preceding four years.

(3) The number of graduates of the institution who have become licensed psychologists in the State of California during the immediately preceding four years.

(4) The practice limitations imposed on graduates of the institution who hold doctoral degrees in psychology. This paragraph shall be in 14-point boldface type, and shall read as follows:

“Prospective students should be aware that as a graduate of an unaccredited school of psychology you may face restrictions that could include difficulty in obtaining licensing in a state outside of California and difficulty in obtaining a teaching job or appointment at an accredited college or university. It may also be difficult to work as a psychologist for some federal government or other public agencies, or to be appointed to the medical staff of a hospital. Some major managed care organizations, insurance companies, or preferred provider organizations may not reimburse individuals whose degrees are from unaccredited schools. Graduates of unaccredited schools may also face limitations in their abilities to be listed in the ‘National Register of Health Service Providers’ or to hold memberships in other major organizations of psychologists.”

(b) Annually, each institution shall provide to the bureau a copy of the disclosure form signed by each student who has enrolled in any course during the year that may be used in the graduate education leading to a doctoral degree in psychology that qualifies the graduate as a candidate for the psychology licensure examination.

(c) If an institution fails to satisfy any of the requirements of this section, the bureau may revoke the institution’s approval to operate or to offer the psychology degree that leads to licensure as a psychologist, or may impose either an administrative penalty or a civil penalty not to exceed ten thousand dollars (\$10,000) per noted violation.

